



Assessment and Software Contracts



Contracts

- **IC 6-1.1-4-17**
- Subject to the approval of the DLGF, a county assessor may employ professional appraisers as technical advisors for assessments in all townships in the county. The DLGF may approve employment only if the DLGF is a party to the employment contract and any addendum to the employment contract.
- “Professional appraiser” means an individual or firm that is certified under IC 6-1.1-31.7.



Contracts

- IC 6-1.1-4-18.5
- A county assessor may not use the services of a professional appraiser for assessment or reassessment purposes without a written contract. The contract used must be either a standard contract developed by the DLGF or a contract that has been specifically approved by the DLGF.
- The DLGF shall ensure that the contract:
 - (1) includes all of the provisions required under IC 6-1.1-4-19.5(b); and
 - (2) adequately provides for the creation and transmission of real property assessment data in the form required by the legislative services agency and the division of data analysis of the DLGF.



Contracts

- No contract shall be made with any professional appraiser to act as technical advisor in the assessment of property, before the giving of notice and the receiving of bids from anyone desiring to furnish this service. Notice of the time and place for receiving bids for the contract shall be given by publication by one insertion in two newspapers of general circulation published in the county and representing each of the two leading political parties in the county. If only one newspaper is there published, notice in that one newspaper is sufficient. The contract shall be awarded to the lowest and best bidder who meets all requirements under law for entering a contract to serve as technical advisor in the assessment of property. However, any and all bids may be rejected, and new bids may be asked.
- The county council of each county shall appropriate the funds needed to meet the obligations created by a professional appraisal services contract.



Contracts

- Complaints have been made that counties are not properly bidding out these contracts. Please help the DLGF in ensuring your county is properly bidding these contracts and that the contracts are sent to DLGF for its review and signature.
- Work with your county attorney in complying with See IC 5-22 and any other relevant provisions.
- If the DLGF receives a contract signed by the contractor, assessor, and commissioners, the county and contractor are representing to the DLGF that all applicable bidding obligations have been fulfilled.



Contracts

- Other relevant statutes:
- IC 6-1.1-31.7-4 (Revocation of certification of appraiser)
- IC 6-1.1-4-19.5 (DLGF development of standards for contracts for professional appraisal services; special contract language)
- IC 6-1.1-31.5-2 (DLGF rules for computer specifications; county contracts permitted only with providers certified by the DLGF; DLGF as party to contract)
- 50 IAC 26-19-1 (Software vendors)
- 50 IAC 26-19-2 (Assessment software and tax and billing software vendors)
- 50 IAC 26-19-3 (System maintenance)
- 50 IAC 26-19-4 (Disputes with software vendors)



Contracts

State Forms:

- 55928 - Prescribed Contract for New Construction Review
- 55929 - Prescribed Contract for Annual Adjustments
- 55930 - Prescribed Contract for Annual Adjustments and Cyclical Reassessment
- 55931 - Prescribed Contract for Computer Software, Services, and Equipment
- 55932 - Prescribed Contract for Cyclical Reassessment
- Available at: <http://www.in.gov/dlgf/6854.htm>



Contracts

- The DLGF will only accept the fillable PDF state form versions of these contracts; the DLGF will NOT accept altered, reproduced, or retyped contracts. Counties and contractors shall use the form contracts as they are. The DLGF will not entertain claims by a contractor or county that its retyped contract is an exact duplicate of the state form.
- Before the DLGF can sign a contract, the contract must first be signed by the contractor, assessor, and county commissioners. The DLGF needs only one original copy of the signed contract from the county. The copy should not be bound or stapled, and it is not necessary to overnight the copy to the DLGF. Again, the DLGF must receive a copy with original signatures on it.
- Once the DLGF signs the contract, one copy will be sent to the contractor and one copy will be sent to the county. The DLGF will retain the original contract and a copy as signed by the DLGF will be posted to the DLGF's website.



Contracts

- Contracts can potentially be amended, but the DLGF must review and be a signatory to any amendment. An amendment cannot be used to perpetually extend a contract or add work unrelated to the underlying contract (i.e., amending a new construction contract to include cyclical reassessment work).
- Work with your attorney from start to finish!
- **BE SURE TO THOROUGHLY PRROFREAD YOUR CONTRACT BEFORE SUBMITTING IT TO THE DLGF!**